



COMBINED DECLARATION AND POWER OF ATTORNEY

I, a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled BONE GRAFT SUBSTITUTE COMPOSITION, the specification of which:

- ☐ is attached hereto.
☒ was filed on July 26, 2001 as Application Serial No. 09/915,997 and was amended on _____.
☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>U.S. Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
09/327,761	06/07/1999	Pending

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

John M. Skenyon, Reg. No. 27,468
Tu N. Nguyen, Reg. No. 42,934
John J. Gagel, Reg. No. 33,499

Robert C. Nabinger, Reg. No. 33,431
Sean P. Daley, Reg. No. 40,978
Timothy A. French, Reg. No. 30,175

Address all telephone calls to TU N. NGUYEN at telephone number (617) 542-5070.

Address all correspondence to ROBERT C. NABINGER at:

FISH & RICHARDSON P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.



Combined Declaration and Power of Attorney

Page 2 of 2 Pages

Full Name of Inventor: DONALD W. PETERSEN

Inventor's Signature: Donald W. Petersen

Date: 10/17/01

Residence Address: 4085 Lakewood Drive
Bessemer, AL 35020

Citizenship: United States

Post Office Address: 4085 Lakewood Drive
Bessemer, AL 35020

Full Name of Inventor: KELLY COUPE RICHELSON

Inventor's Signature: Kelly C. Richelson

Date: 10-11-01

Residence Address: 9394 Alex Dickson Cove
Memphis, TN

Citizenship: United States

Post Office Address: 9394 Alex Dickson Cove
Memphis, TN 38133

Full Name of Inventor: WARREN OLIVER HAGGARD

Inventor's Signature: Warren Oliver Haggard

Date: 10-11-01

Residence Address: 6600 Stephan Ridge Drive
Bartlett, TN

Citizenship: United States

Post Office Address: 6600 Stephan Ridge Drive
Bartlett, TN 38135

Full Name of Inventor: CARY P. HAGAN

Inventor's Signature: Cary P. Hagan

Date: 10/11/01

Residence Address: 8517 Farmington Cove
Germantown, TN

Citizenship: United States

Post Office Address: 8517 Farmington Cove
Germantown, TN 38139

Full Name of Inventor: DONALD A. RANDOLPH

Inventor's Signature: Donald A. Randolph

Date: 11/15/01

Residence Address: 1605 South Prospect Street
Wheaton, IL

Citizenship: United States

Post Office Address: 1605 South Prospect Street
Wheaton, IL 60187